

REMARKS

The drawings were objected to as set forth in paragraph 1 of the Office Action mailed January 25, 2005. Inasmuch as claims 6 and 7 have been cancelled, the objection set forth in paragraph 1 is moot. Similarly, the rejection set forth in paragraph 3 is also moot since claims 6 and 7 have been cancelled.

Claims 1-5 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Specifically, the Examiner believes that claim 1 is contradictory since if there is only one drive unit that includes a generally transversely extending base beam having first and second ends, there is no longer a plurality of drive units. Apparently the Examiner does not fully understand the significance of the language set forth in claim 1. The self-propelled irrigation system may include a plurality of spaced-apart drive units, but not all of the spaced-apart drive units may have the invention utilized thereon. In other words, there may be nine spaced-apart drive units with only eight of those spaced-apart drive units including the invention set forth in claim 1. Claim 1 specifically describes that there are first and second in-line drive assemblies pivotally connected to the base beam adjacent the ends thereof. Claim 1 specifically describes that each of those drive assemblies includes the structure set forth in subparagraphs (a), (b) and (c). Accordingly, the claim is not contradictory and the rejection of the claims under 35 U.S.C. § 112, second paragraph, should be withdrawn.

1           Claims 1, 2, 4 and 5 were rejected under 35 U.S.C. § 102(b) as being  
anticipated by Chapman (6,131,833). It is the Examiner's contention that Chapman  
discloses a self-propelled irrigation system including a pipeline 14 supported upon a  
plurality of spaced-apart drive units 22. The Examiner also believes that the drive  
5       units 22 include a generally transversely extending base beam 24. To this point, the  
Examiner's understanding of Chapman is correct. However, the Examiner then goes  
on to state that Chapman further discloses a first and second in-line drive assembly  
including an elongated support member 60, a first driven wheel 48 and a second drive  
10      wheel 48. It is respectfully suggested that Chapman does not teach the structure  
stated by the Examiner. Chapman does not have first and second drive assemblies,  
but only has a single drive assembly which drives the track. In Chapman, the motor  
65 drives the track from one end thereof. The other end of the track includes an idler  
sprocket. In the instant invention, a pair of drive motors are mounted on opposite ends  
15      of the beam, each of which drives a pair of wheels. Inasmuch as Chapman does not  
teach first and second drive assemblies, as required by the claims, Chapman cannot  
possibly anticipate claims 1, 2, 4 and 5 under 35 U.S.C. § 102(b).

20       In view of the foregoing, the Examiner is respectfully requested to allow claims  
1-5.

25       No fees or extensions of time are believed to be due in connection with this  
Amendment; however, please consider this a request for any extension inadvertently  
omitted and charge any additional fees to Deposit Account No. 502093.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that the original of this AMENDMENT for DALE A. CHRISTENSEN, ET AL., Serial No. 10/786,664, was mailed by first class mail, postage prepaid, to Mail Stop Amendment, Commissioner for Patents, Alexandria, VA 22313, on this 31st day of January, 2005.



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